

PEARSON, J.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

WASHINGTON MUTUAL BANK,)	CASE NO. 1:07CV00683
)	
Plaintiff,)	
)	
v.)	JUDGE BENITA Y. PEARSON
)	
PATRICIA CHIAPETTA, <i>et al.</i> ,)	
)	<u>MEMORANDUM OF OPINION AND</u>
Defendants.)	<u>ORDER (Resolving ECF Nos. 165 and</u>
		<u>166)</u>

Defendants Patricia and John Chiappetta have filed motions seeking relief from various rulings made in the instant case. [ECF Nos. 165](#) and [166](#). Without specifying the reasons, the Chiappettas ask the Court to “vacate and/or set aside” certain rulings listed in their pleadings. They also list certain pending motions and related pleadings without making it clear why those motions and related pleadings are being highlighted. Additionally, Patricia Chiappetta denies having ever consented to the jurisdiction of the magistrate judge who made several of the rulings identified in the pleadings.

Taking the last item first, on January 20, 2011, this case was reassigned to the undersigned Article III Judge, pursuant to General Order 2011-4. Shortly thereafter, the undersigned referred this matter to Magistrate Judge Vecchiarelli for general pretrial supervision. [ECF No. 175](#). Within two weeks of that referral, Magistrate Judge Vecchiarelli held a hearing/status conference regarding the case in general, including those ruling listed in the Chiappetta’s pleadings. Following that conference, the Court adopted Magistrate Judge Vecchiarelli’s report recommending that the rulings of the former magistrate judge assigned

(1:07CV00683)

to this case be vacated and those matters given to Magistrate Judge Vecchiarelli for reconsideration. [ECF No. 193](#) (vacating rulings of the former magistrate judge and returning matter to Magistrate Judge Vecchiarelli for reconsideration). Therefore, the issue of whether Patricia Chiappetta consented to the jurisdiction of the former magistrate judge is moot because those rulings have been vacated.

The balance of the Chiappetta's motions to "vacate and/or set aside" is denied as moot and/or presenting no basis for an independent ruling or reconsideration, given the Court's prior ruling.

IT IS SO ORDERED.

May 6, 2011

Date

s/ Benita Y. Pearson

Benita Y. Pearson
United States District Judge